REMARKS:

Applicant sincerely appreciates the courtesy extended by Examiner Daley at the interview on February 1, 1990. The independent claims submitted herewith were discussed at the interview, and patentably distinguish over the prior art of record.

Each claim now includes the opening in the wound covering means interior portion, which opening receives the tube means proximate end. The tube means proximate end terminates adjacent to the skin contact surface. These features are included in all of the independent claims, and are not taught or suggested by the prior art.

As was discussed at the interview, Groves (Figs. 1 and 2) shows inserting tubing 8 under the perimeter edge 6 of a dressing for introducing fluids. Adhesive 9 is packed around the tube where it extends under the membrane edge for forming a fluid-tight seal at the point of passage of the tubing 8.

Groves Fig. 3 shows a patch 16 placed on the membrane 5 for puncture by a hypodermic needle 10. Groves Fig. 4 shows a flanged end portion 24 of tubing 23 placed on the membrane 5. The operation of the Groves Fig. 4 embodiment is described in column 4, lines 66 through 75, and column 5, lines 1-2. Part of this operation description reads as follows:

> ...a hypodermic needle or cannula is then passed through tubing 23 to puncture membrane 5 at the flanged end of tubing 23. Fluid may then be injected and withdrawn from pocket 7.

Groves thus teaches away from Applicant's concept of providing an opening in the membrane for receiving the tube distal end, which tube distal end is placed adjacent the skin contact surface of the wound covering means or membrane.

Applicant's invention, as presently claimed, has several operational advantages over Groves, which are achieved by the cooperation of the claimed elements of Applicant's invention. For example, the Groves Fig. 4 embodiment would require piercing the membrane 5 with a needle or cannula in close proximity to a wound, with the attendant risks of injuring the patient or the person attempting to insert the needle or cannula. Such accidental pricking could result in infection or impede the healing process, in addition to causing discomfort. Applicant's invention, on the other hand, avoids these potential problems by providing an open passage directly to the wound surface through the tubing, the distal end of which could be located at any desired distance from the body whereby the instruments for introducing fluids, e.g. syringes, cannuli, etc. can be kept remote from the wound site. Applicant's invention has the further advantages of eliminating the puncture step whereby efficiency of operation is provided.

Miller shows a percutaneous dressing, shield and drain tube wherein the wound cover C is described as rubber or plastic without any suggestion that it be semi-permeable like Applicant's. Furthermore, the Miller patent teaches away from terminating a proximate end of the tube A adjacent to the wound surface. Thus, the Miller device would not be

invention. Other percutaneous drain tubes are shown in Russo '363, McFarlane '180 and Brodsky '100.

All of the claims include the distinguishing features discussed above, and are thus allowable. Claim 20 includes the additional features of the seam extending transversely across the wound covering and formed by the connection of first and second panels. Claim 21 specifies that the tube comprises a flexible, collapsible material. Claim 22 specifies the seam between the adjacent panels forming the opening (like Claim 20) and also specifies that the tube comprises a flexible, collapsible material (like Claim 21). Claim 23 is a method claim which is similar in scope to Claim 19, except that it further includes the steps of alternately draining and introducing a liquid to the wound. At the interview, the step of introducing liquid to the wound was discussed. Pursuant to that discussion Applicant has added Claims 24 and 25, which depend from method Claim 23 and further define this step as medicating and irrigating the wound respectively.

In view of the foregoing, all of the claims presently pending in this application should be in condition for allowance, and notice to this effect is earnestly solicited.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Hon. Commissioner of Patents and Trademarks, Washington, D.C. 20231, on March 5, 1990.

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By Mark Brown

March 5, 1990
(Date of Signature)